## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

SKYLINE SOFTWARE SYSTEMS, INC.,

Plaintiff,

CIVIL ACTION NO. 04-11129 DPW

v.

KEYHOLE, INC., and GOOGLE INC.

Defendants.

## DEFENDANTS' MOTION FOR LEAVE TO FILE A RESPONSIVE CLAIM CONSTRUCTION BRIEF IN EXCESS OF TWENTY (20) PAGES

Nelson G. Apjohn (BBO No. 020373) **NUTTER McCLENNEN & FISH LLP** World Trade Center West 155 Seaport Boulevard Boston, MA 02210 (617) 439-2000 Fax: (617) 310-9000

Attorneys for Defendants and Counterclaimants KEYHOLE, INC. and GOOGLE INC.

## Of Counsel

Darryl M. Woo, admitted *pro hac vice*Maclain Wells, admitted *pro hac vice*Kent E. Kemeny, admitted *pro hac vice* **FENWICK & WEST LLP**Embarcadero Center West
275 Battery Street
San Francisco, CA 94111
Tel. (415) 875-2300
Fax (415) 281-1350

Defendants Keyhole, Inc. and Google Inc. have submitted a Responsive Claim Construction Brief. This Brief exceeds the Local Rule limit of twenty (20) pages, and by this motion, Defendants seek leave to file their Responsive Claim Construction Brief. Skyline has asserted each and every claim, 24 in all, of U.S. Patent No. 6,496,189 against Defendants. Given the extent of Skyline's allegations, and the complexity of the legal and factual issues involved in claim construction, Defendants require more than 20 pages to adequately brief the topics.

For these reasons, Defendants respectfully request that they be permitted to file a Responsive Claim Construction Brief exceeding twenty pages.

## **CERTIFICATE PURSUANT TO LOCAL RULE 7.1(A)(2)**

Pursuant to Local Rule 7.1(A)(2), counsel for Defendants conferred with counsel for Plaintiff on March 25, 2005 and counsel for Plaintiff indicated that Skyline would not oppose this motion.

Dated: March 25, 2005 Respectfully submitted,

By: /s/ Darryl M. Woo

Darryl M. Woo

FENWICK & WEST LLP

Embarcadero Center West 275 Battery Street San Francisco, CA 94111 Tel. (415) 875-2300 Fax (415) 281-1350

email: dwoo@fenwick.com

Attorneys for Defendants and Counterclaimants KEYHOLE, INC. and GOOGLE INC.